

### REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-10 are pending in the present application. Claims 1 and 2 are amended and Claim 10 is added by the present amendment.

In the outstanding Office Action, Claims 1-9 were rejected under 35 U.S.C. § 102(a) as anticipated by U.S. Patent 6,718,872 to Kanno.<sup>1</sup> With regard to the position adjustment clause of original Claim 1 (i.e., the last paragraph of original Claim 1) the examiner stated (Office action, page 3) that:

Kanno teaches the use of registration rollers 71 for controlling the sheet feeding timing for each of the sheets being fed from the sheet feeding section 4 and the use of the refeed roller 23 for controlling the front-side-printed sheet refeed timing and a operation panel equipped with a microprocessor 130-132 to coordinate the registration rollers 71 and the refeed roller 23 so as to carry out the sheet feeding and refeeding operations in an orderly manner during the double side printing operation. Accordingly, the structure of the duplex printer as taught by Kanno is well capable of effecting position adjustment on each of the first and second print images with respect to each of the first and the second sheets in sheet conveyance direction, with position adjustment on the first print image being effected by changing a sheet feeding timing of the sheet feeding section and position adjustment on the second print image being effected by changing a refeeding timing of the refeeding means.

Anticipation is established only when a single prior art reference discloses, expressly or under the principles of inherency, each and every element of a claimed invention. RCA Corp. v. Applied Digital Data Sys., Inc., 730 F.2d 1440, 1444, 221 USPQ 385, 388 (Fed. Cir. 1984). In other words, there must be no difference between the claimed invention and the reference disclosure, as viewed by a person of ordinary skill in the field of the invention. Scripps Clinic & Research Found. v. Genentech Inc., 927 F.2d 1565, 1576, 18 USPQ2d 1001, 1010 (Fed. Cir. 1991).

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<sup>1</sup> This U.S. patent is equivalent to JP 2003-200645 A cited by Applicant on page 5 of the specification and cited in the Information Disclosure Statement filed on March 15, 2004.

Kanno does not teach either the means for effecting position adjustment<sup>2</sup> as recited in amended Claim 1 or the first and second timing adjusters as recited in Claim 10. While Kanno does teach a position adjustment mode (see column 12, lines 52-54), Kanno does not specifically teach how that position adjustment mode is accomplished. While the structure of the duplex printer as taught by Kanno may be well capable of being modified to effect position adjustment on each of the first and second print images with respect to each of the first and the second sheets in sheet conveyance direction as set forth in the position adjustment clause of original Claim 1, Kanno does not teach either the means for effecting position adjustment as recited in amended Claim 1 or the first and second timing adjusters as recited in Claim 10. Accordingly, Claims 1-10 are not anticipated by Kanno.

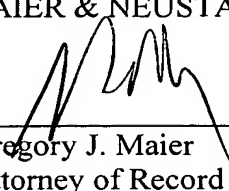
Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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<sup>2</sup> In order to meet a "means-plus-function" limitation, the prior art must (1) perform the identical function recited in the means limitation and (2) perform that function using the structure disclosed in the specification or an equivalent structure. Cf. Carroll Touch Inc. v. Electro Mechanical Sys. Inc., 15 F.3d 1573, 1578, 27 USPQ2d 1836, 1840 (Fed. Cir. 1994); Valmont Indus. Inc. v. Reinke Mfg. Co., 983 F.2d 1039, 1042, 25 USPQ2d 1451, 1454 (Fed. Cir. 1993); Johnston v. IVAC Corp., 885 F.2d 1574, 1580, 12 USPQ2d 1382, 1386 (Fed. Cir. 1989).